IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

O R D E R

S.B.CRIMINAL MISC. PETITION NO. 1185/2006
(Ahkter Husain Vs. State of Rajasthan & Anr.)

Date of Order : 20.11.2006

PRESENT

HON'BLE MR. JUSTICE H.R.PANWAR

Mr. J.P. Chhangani, for the petitioner.
Mr. Ashok Upadhyay, public prosecutor.

BY THE COURT:-

By the instant criminal misc. petition under Section 482 Cr.P.C., the petitioner seeks quashing of FIR No. 433/2002 dated 6.8.2002, Police Station City Kotwali, Bhilwara for the offence under Sections 420 and 406 IPC.

I have heard learned counsel for the petitioner and public prosecutor for the State. Perused the order impugned as also police investigation diary.

It is contended by learned counsel for the petitioner that Plots No. 59 and 60 measuring 50' x 40' situated at Shastri Nagar Prasar Yojna (Agriculture), Bhilwara were sold to the

complainant's wife Smt. Chhotiya Devi by Safi Khan. The said plots further been sold to one Omprakash by registered sale deed dated 14.2.2006 and therefore, it cannot be said that Safi Khan sold the plots to Smt. Chhotiya Devi without having the title and possession.

Be that as it may, the petitioner may file the document registered sale deed executed by Smt. Chhotiya Devi wife of present non-petitioner complainant to Omprakash on 14.6.2006 and concerned Investigating Officer shall investigate the matter on the document so filed and file investigation report.

With these directions, the criminal misc. petition stands disposed of.

(H.R.PANWAR),J.

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